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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/185,550	11/04/1998	MINORU SEKIGUCHI	8261516JDH	5524

21171 7590 06/07/2005

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WASHINGTON, DC 20005

EXAMINER

HAN, QI

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 06/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/185,550		SEKIGUCHI, MINORU	
	Examiner		Art Unit	
	Qi Han		2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2003 and 16 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 13 and 15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 13, 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Response to Amendment

2. This communication is responsive to the applicant's amendments dated 9/11/2003 and 08/16/2004. Applicant amended claims 1-2 and 13, and added new claim 15.

Response to Arguments

3. Applicant's arguments filed on 9/11/2003 and 08/16/2004 with respect to claims 1-2, 13 and 15 have been fully considered but are moot in view of the new ground(s) of rejection, since the arguments are based on the amended and/or added independent claims that introduce new issue(s) (see detail in the claim rejection below).

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 15, the preamble recites "a method for processing non-language data". However, the following limitation says, "storing data groups, each identified by a natural

Art Unit: 2654

language word” and “outputting the natural language word” that are clearly processing language data, which is in conflict with the limitation in the preamble. Therefore, the scope of the claim is unclear, so as to be indefinite.

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 2 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 2, the amended limitation “the word being a **natural language noun** when the group has a static characteristic and a **natural language verb** when the group has a dynamic characteristic” does not provide distinguishable characteristic(s) for classifying a word being “a natural language noun (or verb)”, because, in plain meaning, a noun is a word used to name person, place or thing, which has a static characteristic in nature and a verb is a word used to indicate an action, state, or occurrence, which has a dynamic characteristic in nature. Even though the limitation is recited in the summary section of the specification, the limitation lacks clear and specific description to distinguish “a natural language noun” from the word “noun” in common sense. Therefore, the claimed limitation and the specification fail to comply with written description requirement, so as to not enable any person skilled in the art to make and use the invention to distinguish “a natural language noun” from the word “noun” in plain meaning.

Claim Rejections - 35 USC § 103

6. Claims 1-3, 13 and 15 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Kondo (6,396,954) in view of Young (6,064,959), hereinafter referenced as Young, and Wachtel (5,870,701).

As per claims 1, 2 and 13, Kondo teaches a sensor data process method for processing data obtained from a sensor, comprising:

"storing data groups in a database" and "a word representing a characteristic of a corresponding data group is attached to each of said data group, said data groups being obtained by classifying inputs from said sensor directly or after processing" (column 3, lines 27-55 and Figs. 2 and 6, 'database devices 3 holds (saves/stores) ...relevant data required', 'input devices 4 includes...microphone (sensor), ... a CCD camera (sensor), ...other relevant sensors' and 'voice recognition devices ...delivering its resultant data to the system controller unit 1', 'classification unit 25', 'classification unit', 'sensor 14', 'integrated parameter construction unit 26'; column 8, lines, 28-67, 'standard parameter memory', 'classification data', 'preprocessor' extracting variety of characteristic parameters, 'characteristic parameter optimum for the voice recognition');

"outputting" "word attached to the corresponding data group among the data groups stored in said database if the corresponding data group is found to be similar to sensor input, when the sensor input is received", (column 3, lines 57-65, 'output device 5 includes ...a speaker for emitting speech, a voice mixer device for generating a composite sound from text data (corresponding to data group)');

But, Kondo does not explicitly teach "Temporarily storing input data from said sensor as data of a new data group after classifying said input data when it is determined that said input data does not belong to any of said groups classified in said database"; and "attaching a word to said data of said new group temporarily stored to store said data of new group in said database". However, this feature is well known in the art as evidenced by Young who discloses error correction in speech recognition (title), and teaches that when the system does not recognize a word, it activates the word from a backup dictionary by adding the word to the active dictionary (column 20, lines 13-41), which corresponds to the claimed limitation. Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to incorporate into Kondo a backup dictionary for activating the word as taught by Young because it provide a more versatile system capable of adding new word to the active dictionary.

Further, Kondo in view of Young does not explicitly teach that the processed and/or attached word is "a (the) natural language word". However, this feature is well known in the art as evidenced by Wachtel who discloses control signal processing method and apparatus having natural language interface capabilities (title), comprising that 'natural language is processed', 'output signal may thus be dependent upon the meaning of groups of input words' (abstract, Fig. 2, and column 1, lines 9-17), and the category of each input signal is determined and search data dependent upon the category is stored and an output signal is provided and a lexicon 132 that contains a list of all words which may be processed and defines the grammatical categories of these words (column 4, lines 10 to 47). Therefore, one having ordinary skill in the art at the time the invention was made would have found it obvious to incorporate into the combination of Kondo with Young's system that can generates a composite sound (spoken words) from text data

Art Unit: 2654

(Kondo: column 3, lines 57-65), by providing processing natural language and relating lexicon, as taught by Wachtel, so that the combined system would be powerful and efficient for processing input/output speech in natural language for a variety of different applications.

As per claim 2, as best understood in view of 35 USC 112 1st (see above), Kondo in view of Young and Wachtel further teaches “the word being [a natural language noun] when the group has a static characteristic and [a natural language] verb when the group has a dynamic characteristic” (Wachtel: column 4, lines 28-67 and Fig. 2, ‘lexicon 132... containing words of following categories’ including nouns (word used to name person, place or thing, which has a static characteristic in nature) and verb (word used to indicate an action, state, or occurrence, which has a dynamic characteristic in nature). In addition, the rejection for the rest limitations in the claim is based on the same reason described for claim 1, because the rejection of claim 1 covers the same or similar limitations/functionalities of claim 2 (see above).

As per claim 3 (depending on claim 2), Kondo in view of Young and Wachtel further teaches “status judging means for judging a status using a certain word attached to a group” (Fig. 6, his adaptivity determination unit 27).

As per claim 13, it recites a computer-readable storage medium. The rejection is based on the same reason described for claim 1, because the claim recites the same or similar limitations as claim 1.

As per claim 15, as best understood in view of 35 USC 112 2nd (see above), the rejection is based on the same reason described for claim 1, because the rejection for claim 1 covers the same or similar limitation(s) of this claim, wherein the ‘CCD camera’ in Kondo’s reference reads on the claimed “at least one sensor”.

Art Unit: 2654

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Please address mail to be delivered by the United States Postal Service (USPS) as follows:

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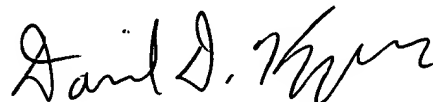
Art Unit: 2654

Randolph Building
Alexandria , VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Qi Han whose telephone numbers is (571) 272-7604. The examiner can normally be reached on Monday through Thursday from 9:00 a.m. to 7:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil, can be reached on (571) 272-7602.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Inquiries regarding the status of submissions relating to an application or questions on the Private PAIR system should be directed to the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028 between the hours of 6 a.m. and midnight Monday through Friday EST, or by e-mail at: ebc@uspto.gov. For general information about the PAIR system, see <http://pair-direct.uspto.gov>.

QH/qh
May 25, 2005



**DAVID D. KNEPPER
PRIMARY EXAMINER**